



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Christopher J. Diorio et al.

SERIAL NO.: 10/823,991

CONFIRMATION NO.: 4991

FILING DATE: April 13, 2004

TITLE: Adaptable Bandwidth RFID Tags

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ART UNIT: 2612

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: 9/11/06

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INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant hereby submits this Information Disclosure Statement (IDS) including a Form PTO-1449 containing a list of references which may be material to the examination of the above-referenced application. This submission is not to be construed as a representation that a prior art search has been conducted, that additional information material to the examination of this application does not exist, or that any one or more of the listed references constitutes prior art.

The Examiner is urged to carefully consider this Information Disclosure Statement and all the listed references, and to indicate same by initialing the appropriate portion(s) of the Form PTO-1449 and forwarding an initialed copy to applicant.

I

This statement is filed pursuant to **(CHECK ONE BOX)**:



37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; **or**
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

Accordingly, this information disclosure statement requires no fee and no certification.



37 C.F.R. § 1.97(c).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; **or**
- (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either:

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); **or**
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).



37 C.F.R. § 1.97(d).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); **and**
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. §1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

II

Fees Due (CHECK ONE BOX):

- ☒ No fee is due.
- ☐ The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (**\$180**).

III

Certification (CHECK ONE BOX):

- ☒ No certification is necessary.
- ☐ Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:
That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:
No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

IV

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,
THELEN REID & PRIEST LLP



David B. Ritchie
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Dated: September 11, 2006

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Form PTO 1449 (Rev. 2-32)				U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. IMPJ-0085		Serial No. 10/823,991	
Information Disclosure Statement by Applicant						Applicant: Christopher J. Diorio et al.			
(Use several sheets if necessary)						Filed: April 13, 2004		Group: 2612	
U.S. Patent Documents									
Init.		Document No.	Date	Name	Class	Subclass	Filing Date		
	A	5,307,515	04/26/1994	Kuo et al.					
	B	5,686,902	11/11/1997	Reis et al.					
	C	5,952,935	09/14/1999	Mejia et al.					
	D	6,177,861	01/23/2001	MacLellan et al.					
	E	6,317,027	11/13/2001	Watkins					
	F	6,603,391	08/05/2003	Greeff et al.					
	G	6,765,484	07/20/2004	Eagleson et al.					
	H	6,831,562	12/14/2004	Rodgers et al.					
	I	7,005,965	02/28/2006	Chen et al.					
	J	2004/0174244	09/09/2004	Eidemiller					
	K	2005/0128159	06/16/2005	Wang et al.					
Foreign Documents									
Init.		Document No.	Date	Country	Class	Subclass	Translation		
							Yes	No	
Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)									
	L	Written Opinion of the International Preliminary Examining Authority for International Application No. PCT/US05/12490, date of mailing 6/27/06.							
Examiner					Date Considered				
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.									